

SHUMAKER &amp; SIEFFERT, P.A.

United States Patent Application

## COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and that I believe I am an original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: ACTIVE VERIFICATION OF BOOT FIRMWARE

The specification of which

- a.  is attached hereto
- b.  was filed on as application serial no. and was amended on (if applicable) or
- c.  was (in the case of a PCT-filed application) described and claimed in international no. filed and as amended on (if any), which I have reviewed and for which I solicit a United States patent.

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- b.  such applications have been filed as follows:

## FOREIGN APPLICATION(S), IF ANY, CLAIMING PRIORITY UNDER 35 USC § 119

COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)

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60/479,657	18 June 2003	
60/479,809	18 June 2003	

I hereby appoint Practitioners at Customer Number 28863



28863

PATENT TRADEMARK OFFICE

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Daniel J. Hanson Reg. No. 46,757

Kent J. Sieffert Reg. No. 41,312

Kelly P. Fitzgerald Reg. No. 46,326

Kari H. Buntingale Reg. No. 35,183

as my/our attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith.

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/ organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Shumaker & Sieffert, P.A. to the contrary.

Please direct all correspondence in this case to:

SHUMAKER & SIEFFERT, P.A.  
8425 Seasons Parkway, Suite 105  
St. Paul, Minnesota 55125  
Telephone: 651.735.1100  
Facsimile: 651.735.1102

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name Of Inventor	Family Name Stillerman	First Given Name Matthew	Second Given Name A
Residence & Citizenship	City Ithaca	State or Foreign Country New York	Country of Citizenship US
Post Office Address	Post Office Address 167 Calkins Road	City Ithaca	State & Zip Code/Country NY 14850/USA
Signature of Inventor:		Date: 8/29/03	

Full Name Of Inventor	Family Name Kozcn	First Given Name Dexter	Second Given Name
Residence & Citizenship	City Ithaca	State or Foreign Country New York	Country of Citizenship US
Post Office Address	Post Office Address 209 Cayuga Heights Road	City Ithaca	State & Zip Code/Country NY 14850/USA
Signature of Inventor:		Date:	

Full Name Of Inventor	Family Name Merritt	First Given Name Thomas	Second Given Name J
Residence & Citizenship	City Pleasanton	State or Foreign Country California	Country of Citizenship US
Post Office Address	Post Office Address 4725 First Street, Suite 200	City Pleasanton	State & Zip Code/Country CA 94566/USA
Signature of Inventor:		Date:	

**§ 1.56 Duty to disclose information material to patentability.**

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

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(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

(1) Each inventor named in the application;

(2) Each attorney or agent who prepares or prosecutes the application; and

(3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

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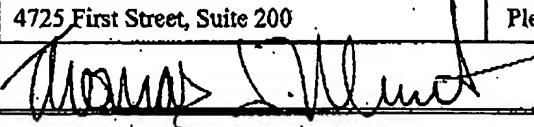
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9/2/2005

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